

Civil No. 1:11-cv-26

Defendant.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

On December 12, 2012, the Court issued a Show Cause Order.

On December 14, 2012, the Bank filed a Motion for Entry of

Default, a Motion to Dismiss (as to Robert J. Greer), and a Response to Show Cause Order.

Defendant failed to file a response to the Amended Complaint and therefore default was entered against her on January 3, 2013 pursuant to Rule 55(a) of the Rules of Civil Procedure. On January 7, 2013, the Court granted the Bank's Motion to Dismiss and dismissed the claims against Robert J. Greer, and also discharged its Show Cause Order such that this matter may proceed to judgment against Defendant.

Defendant is not an infant and otherwise is not incompetent.

The Bank's claim against Defendant consists of a breach of contract or promissory note, namely the failure of Defendant to pay the Bank the sum of Three Hundred Sixty-Nine Thousand Eight Hundred Sixty-Four and 92/100 Dollars (\$369,864.92) due under the Note together with interest and costs.

The Bank's claim is for a sum certain, and it has submitted an Affidavit of Jerald Slaughter of the indebtedness within the meaning of Rule 55(b)(1) of the Rules of Civil Procedure.

The Bank is therefore entitled to the entry of a Default Judgment.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

1. That Plaintiff's Motion for Entry of Default Judgment is **GRANTED** and the judgment is hereby **ENTERED** against Defendant;

2. That the Bank have and recover of Defendant:
- a) The sum of Three Hundred Sixty-Nine Thousand Eight Hundred Sixty-Four and 92/100 Dollars (\$369,864.92);
 - b) interest on said amount as calculated from the date of this judgment pursuant to 28 U.S.C. 1961; and,
 - c) the costs of this action in the amount of Three Hundred Fifty and 00/100 Dollars (\$350.00).

Signed: January 14, 2013


Frank G. Johns, Clerk
United States District Court

